

**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES**

June 27, 2005

MEMBERS PRESENT: Emery Zahner, Mort Heidari, Geri Kupecky, Lori Spielman, Cliff Aucter, Robert Hoffman and Alternate James Prichard

MEMBERS ABSENT: Alternates Arlo Hoffman and Ronald Small

STAFF PRESENT: Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Zahner called the Planning & Zoning Commission (PZC) meeting to order at 7:01 PM at the Ellington Town Hall Annex Meeting Room, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

III. PUBLIC HEARINGS:

THE COMMISSION REVIEWED #S200502 & #Z200519 TOGETHER.

1. #S200502 – Development Services, LLC for a 20 lot subdivision on property located at 33 Newell Hill Road, APN 127-014-0000 in an RA Zone.
2. #Z200519 – Development Services, LLC for a special permit for three rear lots included within a proposed 20 lot subdivision on 33 Newell Hill Road, APN 127-014-0000 in an RA Zone.

TIME: 7:05

SEATED: J. Prichard, M. Heidari, E. Zahner, G. Kupecky, C. Aucter

Attorney Walter Twachtman came forward for the applicant. He reviewed the plan with the commission.

Pat Gorman, LRC Group, reviewed the changes that were made to the plan to accommodate North Central District Health Department comments.

John Sima, Hydro Dynamics Engineering LLC, reviewed how deep each well was on the property. He explained there is water on the property. He also reviewed his comments to Dr. Witinok's letter dated 6/27/05.

Cliff Aucter had problems with the averages on water production and Attorney Walter Twachtman responded that there is enough water on the property.

John Sima explained the wells on the property would not affect the neighboring wells.

Several members of the public expressed their concerns with the application.

Chairman Zahner read Jim Thompson's letter dated 6/27/05.

Attorney Walter Twachtman, summarized the plan with the commission and explained that they have met all town regulations.

MOVED (AUCTER), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200519 – DEVELOPMENT SERVICES, LLC.

MOVED (AUCTER), SECONDED (HEIDARI) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #S200502 – DEVELOPMENT SERVICES, LLC.

THE COMMISSION REVIEWED #S200504 & #Z200518 TOGETHER.

3. #S200504 - Capstone Builders for a 9-lot subdivision on property located at 14 South Road, APN 111-008-0000 in an RA Zone.
4. #Z200518 – Capstone Builders for a special permit for one rear lot included within a proposed 9 lot subdivision on property located at 14 South Road, APN 111-008-0000 in an RA Zone.

TIME: 9:10

SEATED: J. Prichard, M. Heidari, E. Zahner, G. Kupecky

Attorney Dori Flamigetti came forward for the applicant. She explained that this is a 12 acre parcel and that instead of supplying open space, they will be doing a fee in-lieu of open space. There is one rear lot, there will be no increase in peak flows and the owners of lot 9 will be responsible for the maintenance of the basin.

Chairman Zahner read Jim Thompson's letters dated 6/27/05 & 6/24/05.

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #S200504 – CAPSTONE BUILDERS.

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200518 – CAPSTONE BUILDERS.

5. #Z200525 – Charles Michaud for a special permit for a detached 2 car garage on property located at 48 Hayes Ave, APN 005-030-0001 in an AA Zone.

PER THE APPLICANT'S REQUEST, THIS APPLICATION HAS BEEN WITHDRAWN.

6. #Z200510 – Valley Farms for a special permit for renewal of earth excavation permit on properties located at 6 Rosa Court, APN 037-005-0059; 50 Highland Ave, APN 037-005-0066; 48 Highland Ave, APN 037-005-0067; 46 Highland Ave, APN 037-005-0068; 44 Highland Ave, APN 037-005-0069; 42 Highland Ave, APN 037-005-0070; 41 Highland Ave, APN 037-005-0072; 43 Highland Ave, APN 037-005-0073; 45 Highland Ave, APN 037-005-0074; 47 Highland Ave, APN 037-005-0075 in an A Zone.

TIME: 9:45

SEATED: E. Zahner, M. Heidari, G. Kupecky, L. Spielman, C. Aucter, R. Hoffman

Rachel Dearborn, Landmark Surveys, came forward for the applicant and reviewed the plan with the commission.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200510 – VALLEY FARMS.

MOVED (AUCTER), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION #Z200510 – VALLEY FARMS.

CONDITION: THE RESTORATION BOND AMOUNT SET AT \$109,000.

7. #Z200524 – Art Barber Excavating, Inc. for a special permit for renewal of earth excavation permit on properties located on Sadds Mill Road, APN 100-005-0000 & Broad Brook Road, APN 087-003-0000 in an RA Zone.

TIME: 9:50

SEATED: E. Zahner, M. Heidari, G. Kupecky, L. Spielman, C. Aucter, J. Prichard

John Limberger came forward for the applicant.

Chairman Zahner read Jim Thompson's letter dated 6/27/05.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200524 – ART BARBER EXCAVATING, INC.

MOVED (SPIELMAN), SECONDED (AUCTER) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION #Z200524 – ART BARBER EXCAVATING, INC.

CONDITION: THE RESTORATION BOND TO BE INCREASED FROM \$56,000 TO \$123,000.

8. #Z200523 – William Savvidis for a site plan modification and special permit for a patio on property located at 87 West Road, APN 028-017-0000 in a C Zone.

BY CONSENSUS, THE COMMISSION DELAYED THE OPENING OF THE PUBLIC HEARING DUE TO THE APPLICANT'S FAILURE TO COMPLETE THE REQUIRED MAILING.

9. #Z200508 – Cumberland Farms, Inc. for site plan approval and special permit for improvements to an existing gas station and convenience store on property located at 5 Wapping Wood Road, APN 009-026-0000 in a C Zone.

TIME: 10:00

SEATED: E. Zahner, M. Heidari, G. Kupecky, L. Spielman, C. Aucter, R. Hoffman

MOVED (R. HOFFMAN), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE JULY 25, 2005 MEETING FOR #Z200508 – CUMBERLAND FARMS.

10. #Z200522 – Pioneer Builders of Ellington, Inc. for site plan approval and special permit for a 49-unit Age Restricted Cluster Housing Development on property located at 22 Maple Street, APN 073-014-0000 in an ARCH Zone.

TABLED TO THE JULY 25, 2005 MEETING.

11. #S200505 – Jolyn II, LLC for a 3 lot re-subdivision on properties located on Ellsworth Lane, APN 118-004-0004 and 118-004-0007 in an RA Zone.

TIME: 10:10

SEATED: E. Zahner, M. Heidari, G. Kupecky, L. Spielman, C. Aucter, J. Prichard

Russ Heintz came forward for the applicant and reviewed the application with the commission.

Chairman Zahner read Jim Thompson's letter dated 6/27/05.

MOVED (AUCTIONER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #S200505 – JOLYN II, LLC.

MOVED (AUCTIONER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO APPROVE #S200505 – JOLYN II, LLC.

IV. UNFINISHED BUSINESS:

BY CONSENSUS, THE COMMISSION TABLED UNFINISHED BUSINESS ITEMS TO THE JULY 25, 2005 MEETING.

1. #S200503 – Angel Trace, LLC for a 20 lot subdivision on properties located on Crystal Lake Road and 94 Crystal Lake Road, APN 110-018-0000 & 109-009-0000 in an RA Zone.
2. Staff request for direction regarding proposed monument signs with in single family subdivisions. (Staff memo dated 5/17/05)
3. Discussion with Jim Gage regarding open space fee-in-lieu. (Letter to Matt Davis from James Gage dated 5/25/05)
4. Discussion: Land Use Permit Fee Modifications.

III. NEW BUSINESS:

1. #Z200527 – Landmark Surveys, LLC for a site plan approval for a car dealership on property located at 450 Somers Road, APN 162-001-0000 in an I Zone.

TABLED TO THE JULY 25, 2005 MEETING.

2. #Z200526 – Town of Ellington for a site plan modification and a CGS 8-24 for improvements to the Ellington High School and Grounds.

TABLED TO THE JULY 25, 2005 MEETING.

3. Request for a 90-day extension to file mylars for the Crestwood Estates IV Subdivision (#S200412 – Ellsworth Lane & Benjamin Drive).

TABLED TO THE JULY 25, 2005 MEETING.

4. Request for a 30-day extension to file mylars for the Ryefield Estates Subdivision (#S200407—Crane Road).

TABLED TO THE JULY 25, 2005 MEETING.

5. CGS 8-24 Review of Zimmerman Way and Abbott Road to allow for the Board of Selectmen to accept the roads. (#S200405--Zimmerman Subdivision)

TABLED TO THE JULY 25, 2005 MEETING.

6. #S200506 – Heather Hollay Farr for a 2 lot subdivision on property located at 156 Crystal Lake Road, APN 095-021-0000 in an AA Zone. (Receipt and set public hearing date)

BY CONSENSUS, THE COMMISSION RECEIVED #S200506 AND SET THE PUBLIC HEARING FOR THE JULY 25, 2005 MEETING.

BY CONSENSUS, THE COMMISSION RECEIVED #Z200528 & #S200507.

7. #Z200528 – Delta Building Corp. for a site plan approval on property located at 141 Maple Street, APN 063-024-0000 in an A Zone.
8. #S200507 – Joseph MacVarish for a 2 lot subdivision on property located at 264 – 266 Crystal Lake Road, APN 083-018-0000 in an AA Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Appointments to CRCOG Regional Planning Commission.

TABLED TO THE JULY 25, 2005 MEETING.

2. Memo to Planning & Zoning Commission from Matt Davis regarding appraisers.

TABLED TO THE JULY 25, 2005 MEETING.

3. Determination by PZC if they would like to have a discussion with Keith Ballasy regarding re-zoning at 298 Somers Road.

TABLED TO THE JULY 25, 2005 MEETING.

4. Determination by PZC if they would like to have a discussion with Bill Freeman regarding sidewalk at Chasseral Meadows.

TABLED TO THE JULY 25, 2005 MEETING.

5. Approval of Meeting Minutes: May 23, 2005 regular meeting minutes.

MOVED (KUPECKY), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO APPROVE THE MAY 23, 2005 REGULAR MEETING MINUTES.

6. Correspondence:

- a. Memo to Jim Thompson & Pete Michaud from Matt Davis dated, 5/24/05. (Complaint re: Lot Monumentation)
- b. Memo to Inland Wetlands from Matt Davis dated, 5/16/05. (Compliance Status, Ellington Highlands)
- c. Memo to Emery Zahner from Dennis Milanovich dated, 5/19/05. (Action of Board of Selectman)
- d. Letter to Robert Phillips from Steven Kliger dated, 5/19/05. (Certified Zoning Enforcement)
- e. The Journal for Surface Water Quality Professionals Stormwater.
- f. Conservation and Development Policies Plan for Connecticut 2004 – 2009.
- g. Connecticut Memo Newsletter, Spring 2005.
- h. Connecticut Federation of Planning & Zoning Agencies Quarterly Newsletter.

SO NOTED.

VII. ADJOURNMENT:

MOVED (R. HOFFMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:30 PM.

Respectfully Submitted,

Kristin Michaud
Recording Secretary